



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: July 5, 2006

Time: Closed Session 5:45 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Jennifer M. Perrin

Interim City Clerk

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NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Conference with Blair King, City Manager, and Jim Krueger, Deputy City Manager (Acting Labor Negotiators), regarding Association of Lodi City Employees (General Services and Maintenance and Operators) and Lodi Professional Firefighters, pursuant to Government Code §54957.6
- b) Actual Litigation: Government Code §54956.9(a); one case; County of San Joaquin v. City of Stockton et al., San Joaquin County Superior Court, Case No. CV029651
- c) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Jason Tacderan, Zion Reformed Church

C. Pledge of Allegiance

D. Presentations

- D-1 Awards – None
- D-2 Proclamations
 - a) Parks and Recreation Month (PR)
- D-3 Presentations
 - a) Update on Centennial activities (CLK)

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$2,649,003.46 (FIN)
- E-2 Approve minutes (CLK)
 - a) May 31, 2006 (Special Meeting)
 - b) June 13, 2006 (Shirtsleeve Session)
 - c) June 27, 2006 (Shirtsleeve Session)
 - d) June 27, 2006 (Special Meeting)

- E-3 Approve plans and specifications and authorize advertisement for bids upon receipt of authorization to construct from Caltrans for the Stockton Street Asphalt Concrete Resurfacing Project (Kettleman Lane to 1,000 Feet South of Century Boulevard) (PW)
- Res. E-4 Adopt resolution awarding contract for Playground Improvements at Blakely Park, 1050 South Stockton Street, to A. M. Stephens Construction Inc., of Lodi (\$209,577.80) (PR)
- E-5 Accept improvements under contract for Playground Improvements at Van Buskirk Park, 600 North Pleasant Avenue, and Hale Park, 209 East Locust Street (PR)
- Res. E-6 Adopt resolution accepting improvements under contract with A.M. Stephens Construction Company for Henning Substation Driveway and Parking Lot Expansion (EUD)
- Res. E-7 Adopt resolution accepting improvements in Vintage Oaks, Tract No. 3482 (east side of Lower Sacramento Road, south of DeBenedetti Park) (PW)
- Res. E-8 Adopt resolution authorizing fee adjustments for various Animal Shelter services and approve a shelter spay/neuter voucher program (PD)
- E-9 Authorize the City Manager to execute a settlement agreement in the matter of Michels Corporation, dba Michels Pipeline (Gelco Services) v. Crutchfield Construction Company, et al., San Joaquin County Superior Court, Case No. CV 028006, regarding the City's Water and Wastewater Main Replacement Program, Project No. 2 (CA)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- Res. I-1 Public hearing to consider adopting a resolution establishing low-income discounts for water and sewer services and adopting a resolution to place the measure on the ballot for the November 7, 2006, General Municipal Election (CA)

J. Communications

- J-1 Claims filed against the City of Lodi – None
- J-2 Appointments
- a) Appointments to the Animal Shelter Task Force, Lodi Arts Commission, and the San Joaquin County Commission on Aging (CLK)
- J-3 Miscellaneous – None

K. Regular Calendar

- Res. K-1 Adopt resolutions approving the 2006-07 Financial Plan and Budget and the 2006-07 Appropriations Spending Limit, OR adopt resolution authorizing the continuation of expenditures from July 7, 2006 through July 22, 2006, if necessary (CM)
- Res. **NOTE: This item is carried over from the meeting of 6/21/06**

- Pulled** Res. **K-2** Adopt resolution affirming July 1 opening and October 1 closing date for filing applications for residential allocations under the Lodi Growth Management Ordinance and direct staff to work with the development community to establish a new timeline for Council approval of various elements of development approvals (CA)
- NOTE: This item is carried over from the meeting of 6/21/06**

- K-3 Approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel (\$15,561.48) (CA)

NOTE: This item is carried over from the meeting of 6/21/06

Pulled K-4 Provide direction regarding scheduling and type of action the Council may take at informal informational meetings referred to as "Shirtsleeve" City Council meetings (CM)

Pulled K-5 Review and discussion of current regulations pertaining to food vending vehicles (CD)

- K-6 Presentation from the Grape Bowl Ad Hoc Committee regarding elements of the Americans with Disabilities Act Transition Plan and request that Council approve the proposed Grape Bowl concept plan (PR)

Pulled Ord. (Introduce) K-7 Introduce ordinance amending Lodi Municipal Code Title 5 – Permits and Regulations – Chapter 5.40, "Adult-Oriented Businesses," by repealing and reenacting Section 5.40.020, "Location of Adult-Oriented Businesses," to add "Residentially-Zoned Property" to the list of land uses subject to distance regulations regarding the location of adult-oriented businesses; and repealing and reenacting Section 5.40.400(D)(1) to delete the requirement that employees of adult-oriented business be fingerprinted as part of the employee license process (CA)

Pulled Ord. (Introduce) K-8 Introduce ordinance amending Lodi Municipal Code Title 17 – Zoning – Chapter 17.39, "C-2 General Commercial District," and Chapter 17.42, "C-M Commercial-Light Industrial District," to add card rooms as a permitted use, with a use permit, in both the C-2 and C-M zoning districts (CA)

L. Ordinances

- Ord. L-1 Ordinance No. 1780 entitled, "An Ordinance of the City Council of the City of Lodi Imposing a Transactions and Use Tax to be Administered by the State Board of Equalization and Adding Chapter 3.09 to the Lodi Municipal Code"

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Jennifer M. Perrin
Interim City Clerk